

April 7, 1978

LB 650

the next page it was in another place where it said including cost and expense administration if you go to page forty. You have to read those two together. It merely is clarification as to where that comes in. That was in the law. You go to the next page, it's just putting it in...

SENATOR MURPHY: It just seemed to me that it shifted positions.

SPEAKER LUEDTKE: It's just putting it into a different form so that it reads better and it can be interpreted more easily by the courts. It is still in there. It's on the next page. Look at the next page, page forty.

SENATOR MURPHY: But I think you have shifted its position, Senator, however, I can discuss that I suppose with you later, but I wanted to make the point.

SPEAKER LUEDTKE: That's correct, but it's in there. Yes.

SENATOR MURPHY: Now then, you are also eliminating the three year limitation, is that not right?

SPEAKER LUEDTKE: Not eliminating it, we're making it possible for those who...we're just spelling out the fact that this is contrary to the uniform probate code which had been proposed originally. We had already changed that to allow people to come in after three years and we're just spelling out again and clarifying that we mean what we say, that they can come in after three years.

SENATOR MURPHY: You mean this is a section of probate that is not in the uniform probate code at the time when we adopted the code?

SPEAKER LUEDTKE: The uniform probate code of Nebraska was not, as you recall, we changed much of the uniform probate code from the so-called master model. We did not follow the master model. We have the Nebraska probate code.

SENATOR MURPHY: But now we are once more amending that and the proposition is that we eliminate the three year limitation?

SPEAKER LUEDTKE: We don't eliminate it but it's spelled out. We had eliminated it before to the extent that you could come in afterward. There are exceptions to any three years. You could come in afterwards anyway. You always could ever since we passed the probate code there was that possibility but this spells out how it's done.

SENATOR MURPHY: Well, I would like to visit further with someone about it.

SPEAKER LUEDTKE: I'd be glad to visit with you about it anytime.

SENATOR MURPHY: Once I have reviewed the new amendments that we just received this morning.

SPEAKER LUEDTKE: Fine.

PRESIDENT: The question is Senator Luedtke's amendments. Record your vote. Please vote. Please vote. Record.

08642